

2015 Regular Session

SENATE BILL NO. 164

BY SENATORS MORRELL AND APPEL AND REPRESENTATIVE WESLEY BISHOP

LOCAL AGENCIES. Creates commission to study the organization and reorganization of certain law enforcement officials and agencies within Orleans Parish. (gov sig)

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AN ACT

To enact Chapter 43 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:5991 through 5995, relative to the delivery of law enforcement services in Orleans Parish; to create and provide relative to the Orleans Parish Law Enforcement Streamline and Accountability Commission; to provide for the purposes, governance, funding, and staffing of the commission; to provide for the commission's powers, duties, and functions; to authorize the commission to adopt rules and regulations necessary for the purposes of the commission; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. Chapter 43 of Title 13 of the Louisiana Revised Statutes of 1950, comprised of R.S. 13:5991 through 5995, is hereby enacted to read as follows:

**CHAPTER 43. THE ORLEANS PARISH LAW ENFORCEMENT STREAMLINE AND ACCOUNTABILITY COMMISSION**

**§5991. Findings; purpose**

**The legislature finds and declares that there is a need to perform a**

1 detailed investigation and analysis of the following:

2 (1) The effectiveness of the current delivery system of law enforcement  
3 services in Orleans Parish in meeting the needs of its residents and visitors.

4 (2) The feasibility of a merger of New Orleans Police Department and  
5 Orleans Parish Sheriff's Department.

6 (3) The feasibility of an elected superintendent of police for the New  
7 Orleans Police Department.

8 (4) The budgetary structure and financial concerns of current and  
9 future law enforcement budgets in Orleans Parish, including but not limited to  
10 the viability of a stand-alone budget for the Orleans Parish Sheriff, the New  
11 Orleans Police Department, or a new combined entity.

12 (5) Defining the proper levels of funding and identifying funding  
13 mechanisms, including assets held and property owned by each the New  
14 Orleans Police Department and the Orleans Parish Sheriff's Department, as  
15 well as the feasibility of sharing resources and assets.

16 (6) Examining and defining the appropriate number of law enforcement  
17 officers and support staff, including administrative and technology personnel.

18 (7) The feasibility of any other efficiencies that can be realized through  
19 the streamlining of law enforcement assets or other resources.

20 (8) Any state constitution, state statute, and home rule charter  
21 provisions governing the New Orleans Police Department and the Orleans  
22 Parish Sheriff's Department relevant to a merger of the entities, joint use of  
23 assets and resources, and election of a superintendent of police.

24 §5992. Creation; composition; officers

25 A. The Orleans Parish Law Enforcement Streamline and Accountability  
26 Commission is hereby created.

27 B.(1) The commission shall be composed of thirteen voting members as  
28 follows:

29 (a) The chairman of the Senate Committee on Judiciary B or his

1 designee.

2 (b) The chairman of the House Committee on Judiciary or his designee.

3 (c) The mayor of the city of New Orleans or his designee.

4 (d) The chairman of the Criminal Justice Committee of the New Orleans  
5 City Council or her designee.

6 (e) The sheriff of the parish of Orleans or his designee.

7 (f) The president or chief executive office for the Bureau of  
8 Governmental Research or her designee.

9 (g) The president of the Public Affairs Research Council or his designee.

10 (h) The president of the Urban League of the Greater New Orleans or his  
11 designee.

12 (i) The Inspector General for the New Orleans Office of Inspector  
13 General or his designee.

14 (j) The chief executive officer for the New Orleans Police and Justice  
15 Foundation or her designee.

16 (k) The superintendent of the New Orleans Police Department or his  
17 designee.

18 (l) The president and chief executive officer of the New Orleans Regional  
19 Black Chamber of Commerce or her designee.

20 (m) The president and chief executive officer of the New Orleans  
21 Chamber of Commerce or his designee.

22 (2) The chairmanship of the commission shall rotate annually between  
23 the members appointed pursuant to Subparagraphs (B)(1)(a) and (B)(1)(b) of  
24 this Section. The first meeting shall be called by the member appointed  
25 pursuant to Subparagraph (B)(1)(a) of this Section not later than December 1,  
26 2015.

27 (3) Seven members of the commission shall constitute a quorum.

28 §5993. Meetings; hearings; committees; report; sunset

29 A. The commission shall meet every other month, with two such meetings

1 to be held in the city of New Orleans annually.

2 B. To the extent permitted by and in accordance with R.S. 44:1 et seq.,  
3 each officer, board, commission, council, department, or agency of state  
4 government and Orleans Parish shall make available all facts, records,  
5 information, and data requested by the commission and in all ways cooperate  
6 with the commission in carrying out the functions and duties imposed by this  
7 Chapter.

8 C. The commission may establish committees as it deems advisable and  
9 feasible, whose membership shall include at least one member of the  
10 commission, but only the commission itself may take official action.

11 D. The commission shall issue a report of its findings and  
12 recommendations to the president of the Louisiana State Senate, the speaker of  
13 the House of Representatives, and the chairmen of the House Committee on  
14 Judiciary and Senate Committee on Judiciary B no later than March 1, 2017.

15 E. The commission may adopt rules of procedure for its operation.

16 F. The commission shall terminate operations on March 31, 2017.

17 §5994. Staff

18 The commission may utilize existing staff of the legislature, including but  
19 not limited to personnel of the legislative fiscal office. The commission shall  
20 submit a written request for approval for specific support and assistance to the  
21 presiding officer of the respective house from which the support and assistance  
22 is sought. Support or assistance from the staff of the legislative fiscal office shall  
23 be submitted to the presiding officers of both houses.

24 §5995. Finances

25 A.(1) No member of the commission shall receive any salary for duties  
26 performed as a member of the commission.

27 (2) Members appointed pursuant to R.S. 13:5992 Subparagraphs  
28 (B)(1)(a) and (B)(1)(b) shall receive per diem and be reimbursed for expenses  
29 as provided by law and the rules of the Senate or House of Representatives.

1                    **B. The commission is authorized to apply for, contract for, receive, and**  
 2                    **expend for its purposes any appropriation or grant from the state, its political**  
 3                    **subdivisions, the federal government, or any other public or private source to**  
 4                    **implement the provisions of this Chapter.**

5                    Section 2. This Act shall become effective upon signature by the governor or, if not  
 6                    signed by the governor, upon expiration of the time for bills to become law without signature  
 7                    by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 8                    vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 9                    effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part  
 of the legislative instrument, were prepared by Cathy Wells.

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## DIGEST

SB 164 Original

2015 Regular Session

Morrell

Proposed law creates and provides for the Orleans Parish Law Enforcement Streamline and  
 Accountability Commission.

Proposed law requires the commission to perform a detailed investigation and analysis of  
 the following:

- (1) The effectiveness of the current delivery system of law enforcement services in Orleans Parish in meeting the needs of its residents and visitors.
- (2) The feasibility of a merger of New Orleans Police Department and Orleans Parish Sheriff's Department.
- (3) The feasibility of an elected superintendent of police for the New Orleans Police Department.
- (4) The budgetary structure and financial concerns of current and future law enforcement budgets in Orleans Parish, including but not limited to the viability of a stand-alone budget for the Orleans Parish Sheriff's Department, the New Orleans Police Department, or a new combined entity.
- (5) Defining the proper levels of funding and identifying funding mechanisms, including assets held and property owned by each the New Orleans Police Department and the Orleans Parish Sheriff's Department as well as the feasibility of sharing resources and assets.
- (6) Examining and defining the appropriate number of law enforcement officers and support staff, including administrative and technology personnel.
- (7) The feasibility of any other efficiencies that can be realized through the streamlining of law enforcement assets or other resources.
- (8) Any state constitution, state statute, and home rule charter provisions governing the New Orleans Police Department and the Orleans Parish Sheriff's Department

relevant to a merger of the entities, joint use of assets and resources, and election of a superintendent of police.

Proposed law provides for the commission to be composed of the following members:

- (1) The chairman of the Senate Committee on Judiciary B or his designee.
- (2) The chairman of the House Committee on Judiciary or his designee.
- (3) The mayor of the city of New Orleans or his designee.
- (4) The chairman of the Criminal Justice Committee of the New Orleans City Council or her designee.
- (5) The sheriff of the parish of Orleans or his designee.
- (6) The president or chief executive office for the Bureau of Governmental Research or her designee.
- (7) The president of the Public Affairs Research Council or his designee.
- (8) The president of the Urban League of the Greater New Orleans or his designee.
- (9) The Inspector General for New Orleans Office of Inspector General or his designee.
- (10) The chief executive officer for the New Orleans Police and Justice Foundation or her designee.
- (11) The superintendent of the New Orleans Police Department or his designee.
- (12) The president and chief executive officer of the New Orleans Regional Black Chamber of Commerce or her designee.
- (13) The president and chief executive officer of the New Orleans Chamber of Commerce or his designee.

Proposed law provides for the chairmen of the legislative committees to chair the commission on a rotating annual basis.

Proposed law requires the chairman of Senate Judiciary B to call the first meeting no later than December 1, 2015. Proposed law requires the commission to meet every other month, with two such meeting being held in the city of New Orleans annually. Proposed law further requires the commission to sunset on March 31, 2017.

Proposed law requires to the extent permitted by law, each officer, board, commission, council, department, or agency of state government and Orleans Parish shall make available all facts, records, information, and data requested by the commission and in all ways cooperate with the commission in carrying out the functions and duties imposed by proposed law.

Proposed law authorizes the commission to establish committees as it deems advisable and feasible and requires that at least one member of the commission be a member of each committee. Proposed law provides that only the commission itself may take official action.

Proposed law requires the commission to issue a report of its findings and recommendations to the president of the Senate, the speaker of the House, and the chairmen of the House Committee on Judiciary and Senate Committee on Judiciary B no later than March 1, 2017.

Proposed law authorizes the commission to utilize existing staff of the legislature, including but not limited to personnel of the legislative fiscal office. Proposed law requires the commission to submit a written request for approval for specific support and assistance to the presiding officer of the respective house from which the support and assistance is sought. Support or assistance from the staff of the legislative fiscal office shall be submitted to the presiding officers of both houses.

Proposed law prohibits any commission member from receiving any salary for duties performed as a member of the commission.

Proposed law authorizes the legislative members of the commission to receive per diem and be reimbursed for expenses as provided by law and the rules of the Senate or House of Representatives.

Proposed law authorizes the commission to apply for, contract for, receive, and expend for its purposes any appropriation or grant from the state, its political subdivisions, the federal government, or any other public or private source to implement the provisions of proposed law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 13:5991-5995)